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August 23, 2012

**By Email & U.S. Mail**

Jason Yonan  
Assistant United States Attorney  
219 South Dearborn, 5<sup>th</sup> Floor  
Chicago, Illinois 60604  
[Jason.Yonan@usdoj.gov](mailto:Jason.Yonan@usdoj.gov)

Re: *United States v. Evans*  
No. 10 CR 747

Dear Jason:

Based on the arguments and statements made at today's court appearance regarding the proposed expert testimony of Agent Joseph Raschke, I am writing to memorialize the defense's request for certain materials, and to insure that there are no misunderstandings regarding whether the government intends to provide these materials.

The defense specifically requests the names of any and all network engineers with whom Agent Raschke is or has been in regular contact regarding cell site analysis. Agent Raschke has indicated that much of his knowledge comes from conversations with these individuals. Therefore, the defense is specifically, but not solely, interested in which individual or individuals informed Agent Raschke that his proposed method of granulation is an appropriate method from a network engineering standpoint. The defense is also interested, again not solely, in the specific individual or individuals that informed Agent Raschke's testimony regarding the timing of a cell phone's communication with the Mobile Switching Center and which information is recorded in the Call Detail Record as the Originating Cell Site. The defense also requests any and all reports or other notes of Agent Raschke's conversations with such network engineers regarding cell site analysis.

With regard to Agent Raschke's testimony that his method of cell site analysis has a success rate of 100%, the defense requests any and all documentation regarding the success or failure of his method in previous cases, or in cases in which other agents have used the same method.

The defense believes that all of these materials are discoverable under Federal Rule of Criminal Procedure 16(a)(1)(E)(i), as they are material to preparing the defense. The materials

Jason Yonan  
August 23, 2012  
Page 2

are also discoverable under Rule 16(a)(1)(G), as they represent the bases for Agent Raschke's testimony. The materials also may represent impeaching material under *Giglio v. United States*, 405 U.S. 150 (1972).

Please respond and inform the defense whether these materials will be produced and the time period in which they will be produced. If there are any materials that the government does not intend to produce, please provide us with a written explanation for the refusal. The trial date is, of course, less than three weeks away, and the items listed above are necessary for trial preparation and the defense investigation.

Very truly yours,

  
Patrick W. Blegen

cc: Antonio Evans